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12 **UNITED STATES DISTRICT COURT**  
13 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

14 **STEVEN K. SMITH**

15 **Plaintiff,**

16 **v.**

17 **BIGGE CRANE & RIGGING CO., a**  
18 **California corporation; WATER &**  
19 **POWER TECHNOLOGIES, INC., a Utah**  
20 **corporation; and DOES 1 through 50,**  
21 **inclusive,**

22 **Defendants.**

**CASE NO. C 05-02049 PVT**

**[PROPOSED] ORDER SETTING**  
**ASIDE DEFAULT AS TO**  
**DEFENDANT WATER &**  
**POWER TECHNOLOGIES, INC.**

23 Pursuant to the Stipulation entered into between the parties on July 18, 2005,

24 **IT IS HEREBY ORDERED** that the default entered against Defendant Water & Power  
25 Technologies, Inc. is set aside, and that Defendant Water & Power Technologies, Inc. will e-file  
26 a responsive pleading on or before August 1, 2005.

27 Dated: 7/25/05

/s/ Patricia V. Trumbull

28 **JUDGE OF THE UNITED STATES DISTRICT COURT**